

ORIGINAL

Decision No. 82536

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
into the rates, rules, regulations,)
charges, allowances and practices)
of all common carriers, highway)
carriers and city carriers relating)
to the transportation of sand, rock,)
gravel and related items (commodi-)
ties for which rates are provided)
in Minimum Rate Tariffs Nos. 7-A and)
17-A).

Case No. 5437
Order Setting Hearing 213

SUPPLEMENTAL OPINION AND ORDER

Decision No. 82062 dated October 30, 1973, in the above proceeding canceled the hourly rates in Minimum Rate Tariff 17-A and provided that the hourly rates in Minimum Rate Tariff 7-A would apply in lieu thereof.

It has come to the Commission's attention that uncertainty exists concerning the application of such hourly rates to the transportation of asphaltic concrete and cold road oil mixture.¹

In the circumstances, the Commission finds that the application of such hourly rates should be clarified by the order herein. A public hearing is not necessary. The Commission concludes that Minimum Rate Tariff 17-A should be amended accordingly.

IT IS ORDERED that:

1. Minimum Rate Tariff 17-A (Appendix C of Decision No. 80578, as amended) is further amended by incorporating therein to become effective March 19, 1974, Second Revised Page 1-3 and Second Revised Page 1-4 attached hereto and by this reference made a part hereof.

¹ The involved hourly rate provisions are set forth in Note 3 of Item 65 of Minimum Rate Tariff 17-A.

2. Common carriers subject to the Public Utilities Act, to the extent that they are subject to Decision No. 80578, as amended, are hereby directed to establish in their tariffs the amendment necessary to conform with the further adjustment ordered herein.

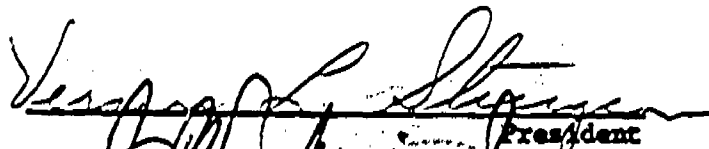
3. Tariff publications required or authorized to be made by common carriers as a result of the order herein shall be filed not earlier than the effective date of this order and shall be made effective not earlier than March 19, 1974, on not less than one day's notice to the Commission and to the public; such tariff publications as are required shall be made effective not later than March 19, 1974; and as to tariff publications which are authorized but not required, the authority shall expire unless exercised within sixty days after the effective date of this order.

4. Common carriers, in establishing and maintaining the amendment authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations, such outstanding authorizations are hereby modified only to the extent necessary to comply with this order, and schedules containing the amendment published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

5. In all other respects Decision No. 80578, as amended, shall remain in full force and effect.

This order shall become effective March 18, 1974.

Dated at San Francisco, California, this 5th day of
March, 1974.


President


Commissioners

Commissioner William Symons, Jr., being
necessarily absent, did not participate
in the disposition of this proceeding.

Commissioner Thomas Moran, being
necessarily absent, did not participate
in the disposition of this proceeding.

SECTION 1--RULES (CONTINUED)	ITEM
<p data-bbox="483 331 1031 356">DEFINITION OF TECHNICAL TERMS (Concluded)</p> <p data-bbox="206 378 1287 451">SYSTEM OF DELIVERY ZONES means the following delivery zones which, in total, shall be deemed as comprising a single system of delivery zones (not applicable when point of origin is in San Diego County):</p> <p data-bbox="338 468 1171 614">All zones in Los Angeles County except zones numbered 19800 to 19948, inclusive; all zones in Orange County; all zones in Riverside County; all zones in San Bernardino County except zones numbered 36500 to 36510, inclusive; San Diego County zones numbered 29 to 89, inclusive; all zones in Santa Barbara County; and all zones in Ventura County.</p> <p data-bbox="206 632 1265 729">(When point of origin is in San Diego County, the following delivery zones, in total, shall be deemed as comprising a single system of delivery zones: Orange County Delivery Zones 30066 to 30071, inclusive, 30094 to 30118, inclusive, and all zones in San Diego County except zones numbered 29 to 89, inclusive.)</p> <p data-bbox="206 747 1281 842">TEAM TRACK means a point at which property may be loaded into or upon, or unloaded from rail cars by the public generally; it also includes wharves, docks and landings at which the public generally may receive or tender shipments of property from and to common carriers by vessel.</p> <p data-bbox="274 862 582 887">TON means 2,000 pounds.</p> <p data-bbox="206 904 1281 1026">UNDERLYING CARRIER (independent-contractor subhauler) means any carrier who renders service for an overlying carrier (principal carrier) for a specified recompense, for a specified result, under the control of the overlying carrier as to the result of the work only and not as to the means by which such result is accomplished.</p> <p data-bbox="206 1044 1311 1094">UNIT OF EQUIPMENT means a truck, a tractor, a trailer, a semi-trailer, or any combination of the foregoing operated in a train.</p> <p data-bbox="206 1112 1325 1185">WEIGHT TICKET means the shipper's scale weight ticket supplied to the carrier by the consignor at the point of origin and completed by the consignee at the point of destination.</p>	20
<p data-bbox="278 1276 760 1300">No change on this page, Decision No.</p> <p data-bbox="843 1287 987 1329">82536</p>	
EFFECTIVE	
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.

ITEM	SECTION 1--RULES (CONTINUED)
40	<p align="center">APPLICATION OF TARIFF--CARRIERS</p> <p>Rates provided in this tariff are minimum rates, established pursuant to the Highway Carriers' Act. They apply for transportation of property by radial highway common carriers, highway contract carriers and dump truck carriers, as defined in said Highway Carriers' Act, in bulk in dump truck equipment.</p>
60	<p align="center">APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of the following commodities:</p> <p>Rock, natural, crushed, chips, waste or dust (Subject to Notes 1 and 2);</p> <p>Sand;</p> <p>Gravel;</p> <p>Cement, in dry mixtures with the above commodities, in batches (Subject to Note 3).</p> <p>NOTE 1.--The term "rock", as used herein, includes stone.</p> <p>NOTE 2.--The term "rock", as used herein, does not include any rock or rocks, having a combined length and girth in excess of 65 inches per single rock.</p> <p>NOTE 3.--Rates in this tariff apply for the transportation of cement only when the volume of the cement does not exceed one-third of the volume of the shipment.</p>
665	<p align="center">APPLICATION OF TARIFF--COMMODITIES</p> <p>Rates in this tariff making specific reference to this item apply for the transportation of the following commodities (Subject to Notes 2 and 3):</p> <p>Asphaltic concrete;</p> <p>Cold road oil mixture;</p> <p>Cold liquid asphalt in containers not exceeding 5 gallons capacity per container (Subject to Note 1).</p> <p>NOTE 1.--Cold liquid asphalt will be transported under the provisions of this tariff, at rates which apply for the transportation of asphaltic concrete, when tendered for transportation with, and as part of, a shipment of asphaltic concrete, and when the quantity so tendered does not exceed 15 gallons per shipment.</p> <p>NOTE 2.--When these commodities are transported in trucks without trailing equipment the rates in Sections 11, 12, 13, 14 and 15 will apply.</p> <p>NOTE 3.--When these commodities are transported in trucks with trailing equipment or tractors with trailers, the "hourly rates in Minimum Rate Tariff 7-A will apply.</p>
<div> <div> § Change * Addition </div> <div>)) </div> <div> Decision No. </div> </div> <div>82536</div>	
EFFECTIVE	
Correction	ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA.